

109TH CONGRESS
1ST SESSION

H. R. 3434

To amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with Hepatitis C, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 26, 2005

Mr. ANDREWS introduced the following bill; which was referred to the
Committee on Veterans' Affairs

A BILL

To amend title 38, United States Code, to establish a presumption of service-connection for certain veterans with Hepatitis C, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. PRESUMPTION OF SERVICE-CONNECTION FOR**
4 **CERTAIN VETERANS WITH HEPATITIS C.**

5 (a) PRESUMPTION.—Section 1112 of title 38, United
6 States Code, is amended by adding at the end the fol-
7 lowing:

8 “(d)(1) For the purposes of section 1110 of this title,
9 and subject to the provisions of section 1113 of this title,
10 the disease Hepatitis C becoming manifest to a degree of

1 10 percent or more in any veteran described in paragraph
2 (2) after active military, naval, or air service covered by
3 that paragraph shall be considered to have been incurred
4 in or aggravated by such service, notwithstanding that
5 there is no record of evidence of that disease during such
6 service.

7 “(2) Paragraph (1) applies in the case of the fol-
8 lowing:

9 “(A) Veterans who received during a period of
10 service before December 31, 1992, a transfusion of
11 blood or blood products.

12 “(B) Veterans who were exposed to blood on or
13 through the skin or a mucous membrane during a
14 period of service.

15 “(C) Veterans who underwent hemodialysis dur-
16 ing a period of service.

17 “(D) Veterans who experienced a needle-stick
18 accident or medical event involving a needle, not due
19 to the veteran’s own willful misconduct, during a pe-
20 riod of service.

21 “(E) Veterans diagnosed with unexplained liver
22 disease during a period of service.

23 “(F) Veterans who experienced an unexplained
24 liver dysfunction value or test during a period of
25 service.

1 “(G) Veterans who served in a health-care posi-
2 tion or specialty during a period of service under
3 such circumstances as the Secretary shall prescribe
4 for purposes of this subsection.”.

5 (b) EFFECTIVE DATE.—The amendment made by
6 subsection (a) shall take effect on the date of the enact-
7 ment of this Act. No benefit may be paid or provided by
8 reason of that amendment for any period before such date.

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